

SCOTTSDALE

# CITY COUNCIL MEETING



## \*\*\*AMENDED\*\*\* NOTICE AND AGENDA (MAYOR AND COUNCIL ITEMS 14 AND 15 ADDED)

### COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Tuesday, March 21, 2006

**4:00 P.M.**

**CITY COUNCIL SPECIAL MEETING**

**MARKED AGENDA**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **4:02 P.M.**

**Roll Call** – **ALL PRESENT**

**Boards, Commissions and Task Forces**

**How the Board and Commission Interview and Appointment Process Works:** The Council will spend a few minutes interviewing each board and commission nominee. At the conclusion of the interviews, the Council will make the appointments. Once the appointments have been made, the Council will take a short recess and reconvene at 5:00 p.m. to consider the remainder of the items on tonight's agenda.

**Interview of citizen nominees and appointments to City boards and commissions.**

**Airport Advisory Commission.** *Nominees:* Fred Madanick, James Osborne, Ralph Pate, Michael Schell  
Council action to fill two vacancies. – **FRED MADANICK, JAMES "MIKE" OSBORNE**

**Board of Adjustment.** *Nominees:* Patrick Davis, Neal Waldman  
Council action to fill one vacancy. – **NEAL WALDMAN**

**Building Advisory Board of Appeals.** *Nominees:* Alan Contardi, Christopher Valocchi  
Council action to fill two vacancies. – **ALAN CONTARDI, CHRISTOPHER VALOCCHI**

**Development Review Board.** *Nominee:* Jeremy Jones - Design  
Council action to fill one Design vacancy. – **JEREMY JONES**

**Human Relations Commission.** *Nominees:* James Foley, Dorothy Kerr, Howard Lazar, Carol Padwe, Richard Woerth  
Council action to fill two vacancies. – **CAROL PADWE, RICHARD WOERTH**

**Industrial Development Authority.** *Nominees:* Jay Berens, James Carmody, Joel Feldman, Brett Moore  
Council action to fill two vacancies. – **BRETT MOORE**

**Loss Trust Fund Board.** *Nominee:* Norman Cocanour  
Council action to fill one vacancy. – **NORMAN COCANOUR**

**Adjourn Special Meeting** – **4:46 P.M.**

**5:00 P.M.**  
**CITY COUNCIL MEETING**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:06 P.M.**

**Roll Call** – **ALL PRESENT**

**Pledge of Allegiance** – **GIRL SCOUT TROOP #149, TONOLEA ELEMENTARY SCHOOL**

**Invocation** – **PASTOR FANK SHIRVINSKI, CHAPARRAL CHRISTIAN CHURCH**

**Presentations/Information Updates**

**Public Comment - NONE**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

**Approval of Minutes**      **- OK – 7/0**

SPECIAL MEETINGS

REGULAR MEETINGS  
[February 21, 2006](#)

WORK STUDY SESSIONS  
[February 28, 2006](#)

EXECUTIVE SESSIONS

**CONSENT AGENDA**      **ITEMS 1 - 10**

**How the Consent Agenda Works:** The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1.      **Babe's Acquisition of Control Change Liquor License** – **OK – C**  
    **Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for an Acquisition of Control change for Babes Cabaret, an existing location.  
    **Location:** 2011 N. Scottsdale Road  
    **Reference:** 53-LL-2004#2  
    **Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

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2. **The Herb Box Catering Company (Beer and Wine Bar) Liquor License – OK – C**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) liquor license for a newly licensed location.  
**Location:** 6990 E. Shea Boulevard, Ste. 116 and 117  
**Reference:** 84-LL-2005  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)
3. **Desert Mountain Properties (Beer and Wine Store) Liquor License – OK – C**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for a wine storage/sales area at a newly licensed location near the Desert Mountain Club.  
**Location:** 10550 E. Desert Hills Drive  
**Reference:** 9-LL-2006  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov)
4. **Dozo Japanese Cuisine (Restaurant) Liquor License – OK – C**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location that previously operated with a series 7 (beer and wine bar) liquor license.  
**Location:** 4320 N. Miller Road  
**Reference:** 10-LL-2006  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov)
5. **DC Ranch Parcel 2.8 Final Plat – OK – C**  
**Request:** Approve a Final Plat for a 30-unit town home community on a 9.6-acre parcel within DC Ranch.  
**Location:** Southwest corner of Thompson Peak and East Desert Camp Drive  
**Reference:** 9-PP-2005  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

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## 6. East End Electrical Substation Conditional Use Permit – OK – C

### **Requests:**

1. Approve a conditional use permit for a public utility service yard (electrical substation) on a 3.64 +/- acre parcel located at 17490 N. 91st Street with Industrial Park, Planned Community District (I-1 PCD) zoning.
2. Adopt Resolution No. 6856 affirming the conditional use permit.

**Location:** 17490 N. 91st Street

**Reference:** 28-UP-2005

**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

## 7. Scottsdale Housing Agency Plan for Fiscal Year 2006/07 and Scottsdale Housing Agency Administrative Plan Revision – OK – C

**Request:** Adopt Resolution No. 6827, which approves the Annual Agency Plan for Fiscal Year 2006/07 for the operation of the Section 8 Rental Assistance Program (Housing Choice Voucher) with funding from the United States Department of Housing and Urban Development (HUD), and authorizes submittal of the Plans to HUD. The resolution also authorizes the submission of the Revised Scottsdale Housing Agency (SHA) Administration Plan to HUD, and acceptance of up to 30 Housing Choice Vouchers if HUD offers them in the 2006/07 program year.

**Related Policies, References:** Resolution No. 6627, passed and adopted on March 22, 2005, which approved the Five-Year and Annual Agency Plan and submittal of the Plan to HUD.

**Staff Contact(s):** Debra Baird, Community Services General Manager, 480-312-2480, [dbaird@scottsdaleaz.gov](mailto:dbaird@scottsdaleaz.gov)

## 8. Amend the Scottsdale Revised Code Relating to Public Nuisance and Property Maintenance – MOTION TO APPROVE – OK – 7/0

**Request:** Adopt Ordinance No. 3669 amending Section 18-2 of the Scottsdale Revised Code, relating to public nuisance and property maintenance definitions.

**Related Policies, References:** Chapter 18, Scottsdale Revised Code

**Staff Contact(s):** Judy Register, Citizen and Neighborhood General Manager, 480-312-2454, [jregister@scottsdaleaz.gov](mailto:jregister@scottsdaleaz.gov)

## 9. Transfer from Loss Trust Fund Self-Insurance Reserve for Outstanding Claim Payments – OK – C

**Request:** Authorize the transfer of \$1.0 million in reserve funds from the Loss Trust Fund Self-Insurance Reserve to the Risk Management operating center. This transfer authorizes Risk Management to pay outstanding claims for casualty losses through the end of the fiscal year.

**Staff Contact(s):** Craig Clifford, General Manager, Financial Services, 480-312-2364, [cclifford@scottsdaleaz.gov](mailto:cclifford@scottsdaleaz.gov)

# CONSENT AGENDA

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10. **Construction Bid Award for the Pima Road Multi-Use Path Segment. Via Linda to Inner Circle – OK – C**

**Request:** Concur with Arizona Department of Transportation (ADOT) Bid Award for the construction of the Pima Road Multi-Use Path from Via Linda to Inner Circle to Bison Contracting Co., the lowest responsive bidder, at their lump sum bid of \$1,823,147.50.

**Related Policies, References:** City Council approved Resolution No. 6592 authorizing Intergovernmental Agreement No. 2005-040-COS with ADOT to construct the Pima Road Multi-Use Path Section: Via Linda to Inner Circle on March 22, 2005.

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov)

**Regular Agenda begins on the following page**

**How the Regular Agenda Works:** The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

11. **Public Hearing for Adjustment of Water, Water Resources and Sewer Development Fees – PRESENTATION BY DAVID MANSFIELD**

**Request:** Conduct a Public Hearing and accept citizen comment on the City's intention to adopt new Water Development, Water Resources Development, and Sewer Development fees for fiscal year 2006-07 effective July 3, 2006.

**Staff Contact(s):** David M. Mansfield, Water Resources General Manager 480-312-5681, [dmansfield@scottsdaleaz.gov](mailto:dmansfield@scottsdaleaz.gov)

12. **Contribution Rates for Employee Health and Dental Benefits – MOTION TO APPROVE – FAILED – 2/5 (MM, BD, WE, RL, KO) -- MOTION TO CONTINUE FOR TWO WEEKS – OK – 6/1 (RM)**

**Request:** Adopt Resolution No. 6824 approving premium contribution rates and plan design changes (e.g., co-pays, deductibles) for employee health and dental benefit plans for FY 2006/07.

**Related Policies, References:**

- Scottsdale Revised Code Section 14-102 relating to the contribution of City funds for employee insurance benefits.
- Council Action dated 9/23/03 authorizing employee health care and life insurance benefits.
- Council Action dated 12/8/03 authorizing benefit plan documents, summary plan descriptions and contribution rates.
- Council Action dated 3/22/05 authorizing FY 2005/06 contribution rates.

**Staff Contact(s):** Neal Shearer, Assistant City Manager, 480-312-2604, [nshearer@scottsdaleaz.gov](mailto:nshearer@scottsdaleaz.gov); Craig Clifford, Chief Financial Officer, 480-312-2364, [cclifford@scottsdaleaz.gov](mailto:cclifford@scottsdaleaz.gov); Teri Traaen, Human Resources General Manager, 480-312-2615, [ttraaen@scottsdaleaz.gov](mailto:ttraaen@scottsdaleaz.gov);

**City Manager's Report**

**Mayor and Council**

**Items 13 - \*\*\*15\*\*\***

13. **Legislative Update – BRIDGET SCHWARTZ MANOCK**

**Update:** Provide updates to the City Council and receive possible direction regarding current and pending State legislative issues and policies.

**Related Policies:** Pursuant to the 2006 State Legislative Agenda adopted by the City Council on December 13, 2005

**Staff Contact(s):** Neal Shearer, Assistant City Manager; [nshearer@scottsdaleaz.gov](mailto:nshearer@scottsdaleaz.gov), 480-312-2604; Bridget Schwartz-Manock, Intergovernmental Relations Director, [bschwartzmanock@scottsdaleaz.gov](mailto:bschwartzmanock@scottsdaleaz.gov), 480-312-2423

# MAYOR AND COUNCIL

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**\*\*\*14. Public Comment on Arizona American Rate Case at Arizona Corporation Commission**

**Public Hearing – MOTION TO DIRECT STAFF TO INVESTIGATE IF, AND TO WHAT EXTENT, ARIZONA AMERICAN WATER FLOW IMPROVEMENTS WERE REQUIRED BY CITY OF SCOTTSDALE CUSTOMERS, AND TESTIFY AS TO FINDINGS AT ARIZONA CORPORATION COMMISSION. MOTION DIED FOR LACK OF SECOND.**

**Request:** Consider directing staff to appear and provide public comment, as determined by City Council, at the March 27, 2006 Arizona Corporation Commission public hearing on proposed water rate increases and surcharges for the Paradise Valley District customers of the Arizona American Water Company, on behalf of Scottsdale customers of the company.

**Staff Contact(s):** Roger Klingler, Assistant City Manager, 480-312-5830, [rklingler@scottsdaleaz.gov](mailto:rklingler@scottsdaleaz.gov); Dave Mansfield, Water Resources General Manager, 480-312-581, [dmansfield@scottsdaleaz.gov](mailto:dmansfield@scottsdaleaz.gov)

**\*\*\*15. Request for Reconsideration – MOTION FOR RECONSIDERATION AT NEXT COUNCIL MEETING – FAILED – 2/5 (MM, BD, WE, RL, KO)**

**Request:** Consider a request from Vice Mayor McCullagh to consider a motion to agendaize, at a subsequent meeting, reconsideration of the vote to approve the transfer of \$800,000 from General Fund CIP Contingency to the Senior Center at Granite Reef Project (Item No. 21, March 7, 2006 Council Agenda).

**Staff Contact(s):** Deborah Robberson, City Attorney, 480-312-2405, [dobberson@scottsdaleaz.gov](mailto:dobberson@scottsdaleaz.gov)

**Public Comment - NONE**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

**Adjournment – 8:14 P.M.**